

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Mrs. Nicole Lawson and Mr. Matthew
Huggins, individually.

Case No: _____

Honorable: _____

Plaintiff,

v.

COMPLAINT WITH
JURY DEMAND

ALCC, Inc., aka Alice Lorain Care Center
A Michigan Corporation,
individually, joint and severally,

Dr. Shapoor Ansari,
Individually, joint and severally,

Defendants.

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COMPLAINT WITH JURY DEMAND

There is no other civil action
between these parties arising out of the
same transaction or occurrences alleged
in this Complaint pending in this Court as the matter
was dismissed without prejudice.

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Now Comes, Plaintiffs, Mrs. Nicole Lawson and Mr. Matthew Huggins, by and through their attorneys, Kulwant S. Boora, Esq., of The Boora Law Group PLC and Steven M. Hyder of Hyder Law for their Complaint, which states as follows:

PARTIES

1. Plaintiffs, Mrs. Nicole Lawson and Mr. Matthew Huggins, at all relevant times were residents of the City of Monroe, County of Monroe and State of Michigan.
2. Defendant, ALCC, Inc. aka Alice Loraine Care Center is a Michigan Corporation doing business in the City of Monroe, County of Monroe, and State of Michigan.
3. Defendant, Dr. Shapoor Ansari is a resident of the County of Monroe, State of Michigan and is the owner and CEO of ALCC, Inc., (hereinafter referred to as "A.L.C.C") and is the Resident Agent of the A.L.C.C. ("collectively Defendants").

JURISDICTION AND VENUE

4. The events giving rise to this cause of action occurred in the City of Monroe, Monroe County, State of Michigan, and jurisdiction is proper in this Court. The amount of controversy herein exceeds twenty-five thousand (\$75,000.00) and this cause is otherwise properly within the jurisdiction of this honorable Court. This action is properly within the jurisdiction of this Court pursuant to a federal question pursuant to Title VII of the Civil Rights Acts of 1964, as amended, 42 USC 2000e et seq. and 42 U.S.C 1981 et seq.

GENERAL ALLEGATIONS

5. Plaintiff, Mrs. Nicole Lawson is an African American that was hired by Defendants on or about July 2018, her job title was Direct Care Work, she was employed from July 2018 to November 2019. As part of her job duties she was required to do a lot of the cleaning and take care of the residents at A.L.C.C.

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6. Plaintiff, Mr. Matthew Huggins is an African American that was hired by Defendants on or about October 2018, his job title was Direct Care Worker, he was employed from October 2018 to September 2019. As part of her job duties she was required to do a lot of the cleaning and take care of the residents at A.L.C.C.
7. The Plaintiffs were both interviewed and hired by the then, Barb (the former Manager) who hired Mrs. Lawson back in July 2018 and Kim Sexton who hired Mr. Huggins back in October 2018, the Defendants A.L.C.C. and Dr. Shapoor Ansari.
8. After Plaintiffs were employed, Mrs. Kathleen Skipper-Strong, the former Executive Director at A.L.C.C. informed the Defendants about hiring another male employee and was advised by the Defendants to throw away the application that they would not hire male workers and that they have a "...big black man who works at night...who was hired without approval..." see attached Exhibit A – Statement of Mrs. Kathleen Skipper-Strong, former Executive Director for Defendants.
9. Mrs. Kathleen Skipper-Strong informed Defendants that such conduct, practices, and comments were discriminatory, but was told that she needs to "...get rid of the fat, lazy, black people..." see attached Exhibit A – Statement of Mrs. Kathleen Skipper-Strong) former Executive Director for Defendants.
10. Similarly, another former employee who worked as a Supervisor for the Defendants, namely, Kim Sexton who part of her responsibilities would hire individuals for Defendants. Hired Mrs. Lawson, subsequently, Kim Sexton was advised and instructed by Defendants constantly to get rid of the fat black lazy people referring to Mrs. Lawson and Mr. Huggins.
11. Kim Sexton found that such conduct, practices and comments were discriminatory and in violation of the law but was ordered to get rid of the fat black lazy people constantly

by the Defendants but would not do so. Kim Sexton knew that this was illegal and wrong of what the Defendants were engaging in.

12. Thus, Defendants engaged in repeated discrimination in violation of federal and state law in their conduct, practices, and comments against Plaintiffs. And that such conduct, practices, and comments were intentionally done and made by Defendants against Plaintiffs to harm them and cause damage.

13. This is an action to enforce Civil Rights arising out of Plaintiffs' employment relationship with Defendants, pursuant to Title VII of the Civil Rights Acts of 1964, as amended, 42 USC 2000e et seq., 42 U.S.C. 1981 and the Michigan Elliot-Larsen Civil Rights Act pursuant to MCL § 37.2101 et seq., in addition to other causes of action against the Defendants for violation of the law.

14. Plaintiffs timely filed a charge of race discrimination, weight discrimination with the Equal Employment Opportunity Commission ("EEOC") and the Michigan Civil Rights and brings this action within 90 days of receiving the notice of right to sue and seek damages from Defendants for violation of their legal rights.

COUNT I

VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACTS OF 1964, AS AMENDED, 42 USC 2000E ET SEQ, AND 42 USC 1981 – RACE DISCRIMINATION

15. Plaintiffs incorporates paragraphs 1 to 14 as rewritten herein.

16. At all material times, Defendants was an employer, covered by and within the meaning of Title VII of the Civil Rights Act of 1964 (Title VII), as amended.

17. At all material times, Plaintiffs were employees of the Defendant.

18. Plaintiffs' race was a factor that made a difference in Defendants' decision to subject them to the wrongful and discriminatory treatment described above.

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19. Defendants requested to watch the monitors at 2-3am and to keep an on eye on the big fat, lazy people who work at night. The defendant then went on to further describe them as the big brother and sister, you know the “black ones.”
20. The Defendants again told the supervisor he would not hire any more “male” caregivers because he already one man here, that big black man who works at night. The Defendants told her to hire more night shift people and to get rid of the fat, lazy, black people.
21. Defendants, by their agents, representatives, and employees, were predisposed to discriminate on the basis of race and acted in accordance with that predisposition.
22. Defendants’ actions were intentional, with reckless indifference to Plaintiffs rights and sensibilities.
23. If Plaintiffs had been white, they would not have been treated in the manner described.
24. As a direct and proximate result of Defendants wrongful acts and omissions, Plaintiffs have sustained loss of earnings, earning capacity, and fringe benefits and have suffered mental anguish, physical and emotional distress, humiliation and embarrassment and loss of professional reputation.

Wherefore, Plaintiffs demand judgment against Defendants individually, joint and severally, in an amount the jury deems fair and just, including but not limited to punitive and compensatory damages, plus all incidental, costs, expenses and attorney fees and any other remedy that Court finds just and equitable.

COUNT II

**VIOLATION OF THE MICHIGAN ELLIOT-LARSEN CIVIL RIGHTS ACT
PURSUANT TO MCL § 37.2101 ET SEQ.**

25. Plaintiffs incorporates paragraphs 1 to 24 as rewritten herein.
26. At all material times, Plaintiffs were an employee, and Defendants was their employer, covered by and within the meaning of the Michigan Elliott-Larson Civil Rights Acts pursuant to MCL § 37.2101 et seq.
27. Plaintiffs were subjected to discrimination based on race and weight by Defendants, there agents and employees throughout the course of their employment.
28. The discrimination included, but not limited to, offensive racial comments about race and weight directed at Plaintiffs and the creation of a hostile work environment to get rid of Plaintiffs.
29. The actions of the Defendant and its agents, representatives, and employees were intentional.
30. The conduct of Defendants, there agents, and employees constituted discrimination against the Plaintiffs in violation of MCL § 37.2101 et seq.
31. As a direct and proximate result of Defendants unlawful actions against Plaintiffs as described, Plaintiffs have suffered injuries and damages, but not limited to, potential loss of earnings and earning capacity; loss of career opportunities; loss of reputation and esteem in the community, mental and emotional distress; and loss of the ordinary pleasures of life.

Wherefore, Plaintiffs demands judgment against Defendants individually, joint and severally, in an amount the jury deems fair and just, plus all incidental, costs, expenses and attorney fees and any other remedy that Court finds just and equitable.

COUNT III

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

32. Plaintiffs incorporates paragraphs 1 to 31 as rewritten herein.
33. Plaintiffs were subject to discrimination in violation of federal and state law by Defendants.
34. Defendants' conduct as outlined above was intentional or reckless.
35. Defendants' conduct as outlined above was extreme, outrageous, and of a character not to be tolerated by a civilized society.
36. Defendants' conduct as outlined above was for an ulterior motive or purpose.
37. Defendants' conduct resulted in severe and serious emotional distress.
38. As a direct and proximate result of Defendants conduct, Plaintiffs have been damaged in the manner outlined above.

Wherefore, Plaintiffs family demands judgment against Defendants individually, joint and severally, in an amount the jury deems fair and just, plus all incidental, costs, expenses and attorney fees and any other remedy that Court finds just and equitable.

COUNT IV

CIVIL CONSPIRACY

39. Plaintiff incorporates paragraphs 1 to 38 as rewritten herein.
40. Defendants through its agents and employees, illegally, maliciously, and wrongfully conspired with one another with the intent to and for the illegal purpose of the conduct described in this Complaint.
41. Defendants, in combination, conspired to cover up and conceal their wrongdoing.
42. This conspiracy resulted in the illegal, unlawful or tortious activity of the conduct described in this Complaint.

43. As a result of the conspiracy and Defendants' illegal, wrongful or tortious acts, Plaintiff sustained the following damages: loss of income, loss of reputation, mental anguish, emotional distress.

44. Defendants are liable to Plaintiffs for injuries and damages.

Wherefore, Plaintiffs demands judgment against Defendants individually, joint and severally, in an amount the jury deems fair and just, plus all incidental, costs, expenses and attorney fees and any other remedy that Court finds just and equitable.

VERIFIED STATEMENT

On this 12th day of August, 2020 we, Mrs. Nicole Lawson and Mr. Matthew Huggins have read the foregoing Complaint and Jury Demand, and sign the same, and that the statements contained therein are true, except as to those matters which are stated upon information and belief to be true, and as to them, we believe the same to be true, and we declare under the penalty of perjury that the above statements are true.



Mrs. Nicole Lawson

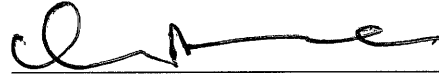


Mrs. Matthew Huggins

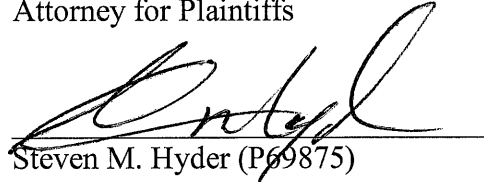
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JURY DEMAND

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Individually, joint and severally,

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JURY DEMAND

Plaintiff requests trial by jury on all issues so triable.

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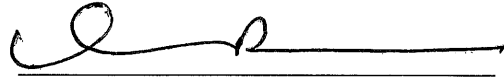
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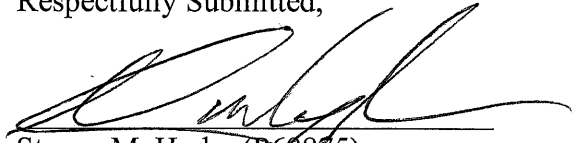
Dated: August 12, 2020

Respectfully Submitted,



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